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1 displaying to a user the available upgrades for selection. *Stupek, col. 3, lines 63-*
2 *67.*

3 Li describes a system for configuring an internet access device for
4 communication with the internet. *Li, Summary.* A user contacts an Internet
5 Service Provider (ISP) provider to establish service. A configuration file user or
6 site specific corresponding to the established service and specific to a user or
7 device is stored. *Li, col. 9, lines 26-63.* The user then receives and installs the
8 internet access device and inputs a registration number to obtain access to the
9 corresponding pre-established configuration file and configure the internet access
10 device. *Li, col. 11, lines 46-63.* In Li, the configuration record is pre-established
11 and unique to the internet access device. *Li, col. 12, lines 43-48.*

12 For the reasons that follow, the proposed combination of Stupek and Li
13 fails to disclose, teach, or suggest the recited features of claims 1-36. For
14 example:

15 **Claim 1** as amended (portions of the amendment appear in bold italics)
16 recites a method comprising:

- 17 • ***maintaining, on a server for each of a plurality of computing systems,***
data specifying which resources are authorized for the computing system;
- 18 • receiving an identifier associated with a computing system and/or
computing system user;
- 19 • ***using the received identifier to:***
 - 20 ▪ ***obtain corresponding data specifying authorized resources***
for the computing system; and
 - 21 ▪ ***interrogate the computing system to produce an assessment***
indicating existing hardware and/or software computing
22 ***system resources available on the computing system;***
- 23 • ***comparing the authorized resources with the assessment to identify one or***
more resources authorized but not installed on the computing system; and
- 24 • automatically modifying the computing system resources by installing the
25 ***one or more identified resources.***

1 Support for the amendment may be found throughout the specification and
2 drawings as filed, an example of which is FIG. 8 and the corresponding discussion
3 beginning on p. 21.

4 The proposed combination of references fails to disclose, teach, or suggest all
5 the recited features of claim 1. Applicant asserts that Stupek and Li, alone or in
6 combination, fail to disclose at least "maintaining, on a server for each of a
7 plurality of computing systems, data specifying which resources are authorized for
8 the computing system", "using the received identifier to: obtain corresponding
9 data specifying authorized resources for the computing system". "using the
10 received identifier to . . . interrogate the computing system to produce an
11 assessment indicating existing hardware and/or software computing system
12 resources available on the computing system", "comparing the authorized
13 resources with the assessment to identify one or more resources authorized but not
14 installed on the computing system", and "automatically . . . installing the one or
15 more identified resources" as recited in claim 1.

16 For instance, in Stupek a server manager provides updates to servers, and in
17 some cases clients. Stupek describes the server manager having an upgrade
18 database indicating version information corresponding to resources, which is
19 apparently global upgrade information (data describing versions of resources)
20 which is common applies to all servers and clients. Stupek describes:

21
22 In general, in one aspect, the invention features a method for
23 use in upgrading a resource of a computer from an existing
24 version of the resource to a later version of the resource. The
25 method includes the steps of (a) digitally storing upgrade
information which identifies the later version and describes
features of the later version relative to one or more earlier
versions of the resource, (b) digitally storing in the computer

1 information identifying the existing version, by computer,
2 automatically determining which of the earlier versions is the
3 existing version, and (c) based on the results of the comparing
4 step, automatically determining, or displaying to a user at
5 least some of the upgrade information to aid the user in
6 determining, whether to perform an upgrade. *Stupek*,
7 *Summary*

8 Accordingly, Stupek is limited to comparing of version numbers from the
9 database with version numbers provided by a computing device (either server or
10 client). Thus, while a version comparison is described in Stupek, Stupek has no
11 discussion of maintaining for each a plurality of systems "data specifying which
12 resources **are authorized**" for the systems and accordingly also fails to disclose
13 "comparing the authorized resources with the assessment to identify one or more
14 resources authorized but not installed on the computing system". There is no
15 identification or mention of authorized or un-authorized resources in Stupek at all.
16 A database as in Stupek indicating upgrade version information used for many
17 devices does not equate "data specifying which resources are authorized for the
18 computing system" of claim 1.

19 Nor does Stupek describe receiving and using an identifier to "obtain
20 corresponding data specifying authorized resources for the computing system" or
21 "to interrogate the computing system to produce an assessment indicating existing
22 hardware and/or software computing system resources available on the computing
23 system". There is no disclosure of an interrogation of a computing system to
24 produce an assessment. Rather, Stupek describes a computing device (server or
25 client) maintaining an individual Management Information Base (MIB) at all times
which indicates resources of the device and which the device **provides to the**
network. *Stupek, col. 3 lines 27-29.* Thus, the server manager does not

1 interrogate the computing system to produce an MIB or produce the MIB at all.
2 Rather, the computing device maintains the MIB and provides it to the network.
3 Accordingly, the MIB does not provide a basis for the assessment as in claim 1
4 and described in the subject Application.

5 Li fails to correct these defects in Stupek. For instance, Li discloses the
6 configuration of an Internet Access Device based on an existing configuration
7 record once a registration ID is entered. The configuration record has been pre-
8 established by communication between a user and an internet service provider.
9 Thus, under Li, no comparison of the assessed computing system resources against
10 authorized computing system resources is required or performed.

11 There is also no identification, comparison, or mention of authorized or un-
12 authorized resources in Li at all. Again, Li describes a pre-established
13 configuration file. Thus, Li does not provide a basis for maintaining for each a
14 plurality of systems "data specifying which resources *are authorized*" for the
15 *systems* and accordingly also fails to disclose "comparing the authorized resources
16 with the assessment to identify one or more resources authorized but not installed
17 on the computing system".

18 Nor does Li describe receiving and using an identifier to "obtain corresponding
19 data specifying **authorized resources** for the computing system" or "to
20 interrogate the computing system to produce an assessment indicating existing
21 hardware and/or software computing system resources available on the computing
22 system". Rather, a registration ID is used to obtain a pre-established configuration
23 file, which apparently is simply downloaded and followed to set up internet
24 service on the Internet Access Device. Thus, there is no assessment of resources
25 on the device, no obtaining data specifying authorized resources, no comparison of

1 an assessment to authorized resources, or identification of authorized resources not
2 installed.

3 For at least these reasons, the proposed combination of Stupek and Li fails to
4 disclose, teach, or suggest all the recited features of claim 1, and withdrawal of the
5 §103 rejection is respectfully requested.

6 Further, assuming *arguendo* that the references may be construed to provide
7 the required features of claim 1, applicant asserts that motivation for the proposed
8 combination is lacking. As the Examiner is likely aware a *prima facie* case of
9 obviousness requires sufficient motivation to combine references. The mere fact
10 that references can be combined or modified does not render the resultant
11 combination obvious unless the prior art also suggests the desirability of the
12 combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). "To
13 support the conclusion that the claimed invention is directed to obvious subject
14 matter, either the references must expressly or impliedly suggest the claimed
15 invention or **the examiner must present a convincing line of reasoning** as to
16 why the artisan would have found the claimed invention to have been obvious in
17 light of the teachings of the references." *Ex parte Clapp*, 227 USPQ 972, 973
18 (Bd.Pat. App. & Inter. 1985)(*emphasis added*). In making out a §103 obviousness
19 rejection, there is a particular emphasis on specificity. *See, e.g., In re Kotzab*, 217
20 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000) ("particular findings
21 must be made as to the reason the skilled artisan, with no knowledge of the
22 claimed invention, would have selected these components for combination in the
23 manner claimed").

24 Here, the Examiner simply refers to sections of Li which describe why the
25 system of Li is desirable. Office Action on p. 6 indicates the motivation is

1 providing "automatic configuration upon verification or authentication of a
2 computing system and user and enables a quick, very simple, and error proof
3 configuration process" citing Li col. 15 lines 1-15; col. 10 line 25-65.
4 Respectfully, this proposed motivation does not provide a reason why an ordinary
5 artisan would be motivated to combine the upgrade methods of Stupek with the
6 automatic configuration of an internet access device as described in Li, nor with
7 the required particularity why the required elements would be combined in the
8 manner claimed. Rather, the asserted motivation is simply a general motivation
9 for use of authentication, and is too broad and vague to provide a sufficient reason
10 why "the skilled artisan, with no knowledge of the claimed invention, would have
11 selected these components for combination in the manner claimed". Neither
12 Stupek nor Li describes any deficiency which would be corrected by combination
13 with the other reference. The examiner has failed to provide convincing reasoning
14 why the techniques of Li would be combined with Stupek.

15 In fact, as Li describes using a pre-established and unique configuration file
16 produced by communication of individual users with an ISP, and Stupek
17 describes an version upgrades specified for a plurality of computing devices by a
18 common database which contains global upgrade information, it is not clear taking
19 the references in their entirety that the combination would be desirable at all. The
20 teachings of Li and Stupek are at odds with one another. Li describes
21 individualized configuration files which are pre-established between a user and
22 service. Stupek, however describes using a common list of upgrades for each
23 device or user. For example, the individual configuration files of LI applied to
24 each server or client in the Stupek would be a significant departure from the
25 method described in Stupek. Rather, than simply comparing the MIB provided by

1 a client to a common upgrade database, each device would now apparently
2 individually establish its own upgrade list. This would be cumbersome and
3 inefficient compared to the techniques described in Stupek. Thus, applicant
4 asserts that these differences in the approaches taken by each reference would
5 discourage the proposed combination.

6 For at least these reasons, a *prima facie* case of obviousness has not been
7 established, and accordingly withdrawal of the §103 rejection is respectfully
8 requested for this additional reason.

9 **Claims 2-12** depend from claim 1 and are allowable based on this dependency
10 as well as for their own recited features which the references of record fail to
11 disclose teach or suggest. Accordingly withdrawal of the §103 rejection of claims
12 2-12 is respectfully requested.

13 For example, **Claim 2** as amended (portions of the amendment appear in bold
14 italics) recites: A method according to claim 1, wherein the computing system *is*
15 *provided to the user without the authorized resources being preinstalled.*
16 Support for this amendment may be found throughout the specification and
17 drawings as filed an example of which is discussion on p. 211.

18 In an interview summary dated 2/23/2006 the examiner indicates that “it
19 appears to the Examiner that the implementation of “when the user receives a new
20 computing system without any application preinstalled . . . a configuration agent
21 initially installs one or more applications as described on page 11 second paragraph
22 in not present in Li and Stupek”. Applicant agrees with this statement. As
23 indicated previously, Stupek is directed to upgrading from existing versions to new
24 version of resources. Li describes using a pre-established configuration file to
25 configure a internet access device. However, the references alone or in

1 combination, fail to disclose, teach, or suggest a computing system “provided to
2 the user without the authorized resources being preinstalled. Accordingly claim 2
3 is allowable for this additional reason.

4
5
6 **Claim 13** as amended (portions of the amendment appear in bold italics)
7 recites a server comprising:

- 8 • a storage device to maintain a profile of personal resources *specifying, for*
9 *each of a plurality of computing systems, which resources are authorized*
10 *for the computing system*; and
- 11 • a configuration agent, coupled to the storage device, to:
 - 12 ▪ receive an identifier associated with a computing system
13 and/or computing system user;
 - 14 ▪ *generate an assessment of the current resources of the*
15 *computing system*;
 - 16 ▪ *identify, by comparing the assessment with the authorized*
17 *resources, one or more of the authorized resources which*
18 *are missing from a computing system* ; and
 - 19 ▪ automatically configure resources of the computing system to
20 include the identified resources.

21 Support for the amendment may be found throughout the specification and
22 drawings as filed an example of which is FIG. 8 and the corresponding discussion
23 beginning on p. 21.

24 Claim 13 is allowable for reasons described with respect to claim 1. For
25 instance the proposed combination of Stupek fails to disclose, teach, or suggest at
least “a storage device to maintain a profile of personal resources specifying, for
each of a plurality of computing systems, which resources are authorized for the
computing system”, “generate an assessment of the current resources of the
computing system” or “identify, by comparing the assessment with the authorized
resources, one or more of the authorized resources which are missing from a

1 computing system” as recited in claim 13. Further motivation for the proposed
2 combination is lacking as described with respect to claim 1. For at least these
3 reasons, claim 13 is allowable over the proposed combination of Stupek and Li
4 and withdrawal of the §103 rejection is respectfully requested.

5 **Claims 14-20** depend from claim 13 and are allowable based on this
6 dependency as well as for their own recited features which the references of record
7 fail to disclose teach or suggest. Accordingly withdrawal of the §103 rejection of
8 claims 14-20 is respectfully requested.

9
10 **Claim 21** as amended (portions of the amendment appear in bold italics)
11 recites a storage medium comprising a plurality of executable instructions
12 including at least a subset of which that, when executed, implement a
13 configuration agent to:

- 14 • *maintain, for each of a plurality of computing systems, data specifying*
15 *authorized resources for the computing system;*
- 16 • conduct an assessment of computing system resources upon receipt of an
17 identifier associated with the computing system and/or computing system
18 user;
- 19 • *identify, by comparing the assessment with corresponding data specifying*
20 *authorized resources, one or more of the authorized resources which are*
21 *missing from the computing system; and*
- 22 • automatically download and install on the computing system the missing
23 authorized resources.

24 Support for the amendment may be found throughout the specification and
25 drawings as filed an example of which is FIG. 8 and the corresponding discussion
beginning on p. 21.

Claim 21 is allowable for reasons described with respect to claim 1. For
instance the proposed combination of Stupek fails to disclose, teach, or suggest at
least “maintain, for each of a plurality of computing systems, data specifying

1 authorized resources for the computing system”, “conduct an assessment of
2 computing system resources upon receipt of an identifier associated with the
3 computing system and/or computing system user” or “identify, by comparing the
4 assessment with corresponding data specifying authorized resources, one or more
5 of the authorized resources which are missing from the computing system” as
6 recited in claim 21. Further motivation for the proposed combination is lacking as
7 described with respect to claim 1. For at least these reasons, claim 21 is allowable
8 over the proposed combination of Stupek and Li and withdrawal of the §103
9 rejection is respectfully requested.

10 **Claims 22-25** depend from claim 21 and are allowable based on this
11 dependency as well as for their own recited features which the references of record
12 fail to disclose teach or suggest. Accordingly withdrawal of the §103 rejection of
13 claims 22-25 is respectfully requested.

14
15 **Claim 26** as amended (portions of the amendment appear in bold italics)
16 recites a computing system comprising:

- 17 • a storage device having stored thereon a plurality of executable
instructions;
- 18 • a network interface, communicatively coupling the computing system to a
network; and
- 19 • a controller, coupled to the storage device and the network interface, to
20 execute at least a subset of the plurality of executable instructions to make
21 an assessment of current hardware and/or software resources of the
22 computing system, and to implement a basic input/output system (BIOS) to
23 issue a configuration request to the network via the network interface, the
configuration request based on the assessment and including an identifier
associated with the computing system, *wherein the configuration request
is configured to cause a recipient of the request to:*
 - 24 ▪ *reference the identifier to access corresponding data*
25 *specifying authorized resources associated by the identifier*
with the computing system;

- *compare the assessment to the authorized resources to determine one or more of the authorized resources missing from the computing system; and*
- *provide the missing authorized resources to the computing system via the network.*

Support for the amendment may be found throughout the specification and drawings as filed an example of which is FIG. 8 and the corresponding discussion beginning on p. 21.

Claim 26 is allowable for reasons described with respect to claim 1. For instance the proposed combination of Stupek fails to disclose, teach, or suggest at least “wherein the configuration request is configured to cause a recipient of the request to: reference the identifier to access corresponding data specifying authorized resources associated by the identifier with the computing system”, “compare the assessment to the authorized resources to determine one or more of the authorized resources missing from the computing system” and “provide the missing authorized resources to the computing system via the network” as recited in claim 26. Further, motivation for the proposed combination is lacking as described with respect to claim 1. For at least these reasons, claim 26 is allowable over the proposed combination of Stupek and Li and withdrawal of the §103 rejection is respectfully requested.

Claims 27-31 depend from claim 26 and are allowable based on this dependency as well as for their own recited features which the references of record fail to disclose teach or suggest. Accordingly withdrawal of the §103 rejection of claims 27-31 is respectfully requested.

1 **Claim 32** as amended (portions of the amendment appear in bold italics)
2 recites a method comprising:

- 3 • issuing a configuration request from a computing system, wherein the
4 configuration request includes an identifier associated with the computing
5 system and/or computing system user *and is configured to cause a*
6 *recipient of the request to:*
 - 7 ▪ *generate an assessment of the current computing system*
8 *resources of the computing system;*
 - 9 ▪ *reference the identifier to access data specifying authorized*
10 *computing system resources associated by the identifier with*
11 *the computing system; and*
 - 12 ▪ *compare the assessment to the authorized computing system*
13 *resources to determine one or more of the authorized*
14 *computing system resources missing from the computing*
15 *system; and*
- 16 • receiving a response to the configuration request at the computing system,
17 the response including the one or more computing system resources
18 missing from the computing system, wherein the one or more computing
19 system resources are automatically installed and configured on the
20 computing system.

21 Support for the amendment may be found throughout the specification and
22 drawings as filed an example of which is FIG. 8 and the corresponding discussion
23 beginning on p. 21.

24 Claim 32 is allowable for reasons described with respect to claim 1. For
25 instance the proposed combination of Stupek fails to disclose, teach, or suggest at
least “generate an assessment of the current computing system resources of the
computing system”, “reference the identifier to access data specifying authorized
computing system resources associated by the identifier with the computing
system” and “compare the assessment to the authorized computing system
resources to determine one or more of the authorized computing system resources
missing from the computing system” as recited in claim 32. Further, motivation
for the proposed combination is lacking as described with respect to claim 1. For

1 at least these reasons, claim 32 is allowable over the proposed combination of
2 Stupek and Li and withdrawal of the §103 rejection is respectfully requested.

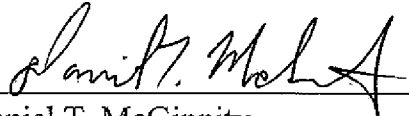
3 **Claims 33-36** depend from claim 31 and are allowable based on this
4 dependency as well as for their own recited features which the references of record
5 fail to disclose, teach, or suggest. Accordingly withdrawal of the §103 rejection of
6 claims 33-36 is respectfully requested.

7
8 **Conclusion**

9 For the forgoing reasons, all pending claims 1-36 are in condition for
10 allowance. Applicant respectfully requests reconsideration and issuance of the
11 present application. Should any issue remain that prevents immediate issuance of
12 the application, the Examiner is encouraged to contact the undersigned attorney to
13 discuss the unresolved issue.

14
15 Respectfully Submitted,

16
17 Dated: 6/30/06

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